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REMARKS

Claims 2-6 and 8 are pending herein. Claims 1 and 7 have been cancelled without prejudice or disclaimer. Claims 2, 3 and 6 have been amended to depend from claim 8. Attached hereto as page 5, pursuant to Rule 1.121(c)(1)(ii), is a marked-up version of the amended claims.

Examiner Dougherty is thanked for courtesies extended to Applicants' representative during a telephonic interview on December 6, 2002. During the interview, Applicants' representative reminded Examiner Dougherty that, during a June 27, 2002 telephonic interview, Examiner Dougherty indicated that he would favorably reconsider claim 7 if rewritten in independent form along with an additional limitation (discussed below). Examiner Dougherty suggested that applicants submit an Amendment and argue the patentability of claim 7 amended as discussed during the June 27, 2002 telephonic interview (which corresponds to pending claim 8). Applicants have followed Examiner Dougherty's suggested course of action, which is discussed further in the following remarks.

1. Claims 1-3 and 6-8 were rejected under §103(a) over Aoki. With respect to claims 1 and 7, this rejection is moot in view of the cancellation of those claims. With respect to pending independent claim 8 and claims 2-6, which depend (either directly or indirectly) from claim 8, it is respectfully traversed.

As explained above, during the June 27, 2002 telephonic interview, Examiner Dougherty indicated that he would favorably reconsider claim 7 if rewritten in independent form with the additional limitation that the piezoelectric/electrostrictive (P/E) operating portion extends from *an outer surface* of the fixation section onto at least a portion of at least one thin plate section. In particular, Examiner Dougherty agreed that, while Fig. 8 of Aoki appears to show that the P/E operating portion of Aoki's electrodes extend from the fixation

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section, there is no disclosure or suggestion that the electrodes extend from *an outer surface of the fixation section* onto at least one thin plate section.


Pending independent claim 8, which was submitted in the September 4, 2002 Amendment to advance the prosecution of the present application, corresponds to the subject matter of claim 7 rewritten in independent form and amended as discussed above. Accordingly, it is respectfully submitted that pending claim 8, and all claims depending therefrom, are now in condition for allowance. Examiner Dougherty is requested to issue a Notice of Allowance in due course.

Examiner Dougherty also is requested to confirm receipt and consideration of the Information Disclosure Statements filed October 21, 2002 and November 5, 2002.

If Examiner Dougherty believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
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January 21, 2003
Date

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Appl'n No.: 09/677,304

2. (Amended) The piezoelectric/electrostrictive device according to claim 8, wherein a first adhesive ~~is allowed to intervene~~ between said piezoelectric/electrostrictive element and said thin plate section.

3. (Amended) The piezoelectric/electrostrictive device according to claim 8, wherein said object is secured to said object attachment surface of said thin plate section by the aid of a second adhesive.

6. (Amended) The piezoelectric/electrostrictive device according to claim 8, wherein said object is attached to only forward end portions of said pair of thin plate sections.

VERSION WITH MARKINGS TO SHOW CHANGES MADE
Amended claims